

R 311421Z MAY 07
FM SECSTATE WASHDC
TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE
AMEMBASSY TRIPOLI

UNCLAS STATE 074623

PLEASE PASS TO HR, MO AND CLO COORDINATOR

E.O. 12958: N/A
TAGS: AMGT, KFLO, APER
SUBJECT: IMPROVING THE FAMILY MEMBER WORK PERMIT PROCESS
AT POST

1. Data recently obtained by the Family Liaison Office (FLO), in response to FLO ALDAC E.O. 12958 (R 292330NOV 06), revealed a significant problem with the implementation of work agreements at many posts.
2. The vast majority of negotiated bilateral work agreements provide for eligible family members (EFMs) to obtain a work permit based upon diplomatic status alone and do not/not require that the dependent first demonstrate that s/he has an offer of employment. Unfortunately, many posts are accepting the assertion of the host country that proof of a job offer as a prerequisite to applying for a work permit.
3. This practice is inconsistent with the terms of the vast majority of agreements and with the treatment accorded foreign mission dependents seeking employment in the United States, whether under a formal agreement or de facto arrangement. It significantly burdens the dependent seeking employment, slowing down the process and risking that job offers will be withdrawn when the permits are not forthcoming.
4. The United States issues work permits to foreign mission dependents - whether under a formal bilateral agreement or a de facto arrangement - based exclusively on their status, i.e., their identity as a dependent of an employee assigned to diplomatic/consular mission. We never require proof of a job offer and always issue work permits for the duration of the the tour of assignment. Posts should therefore insist that our EFMs be accorded reciprocal treatment.
5. There will be many new arrivals at posts around the world in the next few months. Please take action now to ensure, where bilateral work agreements or de facto arrangements allow it, that work permits are obtained

without offers of employment as soon as practicable after family members arrive and receive diplomatic credentials. Chief of Mission approval for specific jobs, required under 3 FAM 4125, can then be expedited when an actual job offer is obtained. Guidance on the direct hire employee refusal and Chief of Mission approval process can be obtained from the Family Liaison Office Employment Section via FLOASKEMPLOYMENT@state.gov.

6. The Family Liaison Office looks forward to working in partnership with post management, post CLOs and bureaus within the Department to provide the best possible employment options for family members assigned to our missions overseas. Together, we can enhance employment opportunities and, in turn, increase morale and retention and make successful posts attractive to bidders. We welcome your input and cooperation in this effort.

7. Minimize Considered.
RICE